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Record Item: Trial Testimony of...

File Unit: Civil Case #1333, *Davis et al v. County School Board of Prince Edward County, VA, et al.*, Box 126, Volume 2 (for Isidor Chein's testimony) or Volume 5 (for Mamie P. Clark, Horace B. English, Alfred McClung Lee, William H. Kelly, John Nelson Buck, and Henry E. Garrett's testimony), then the page number.

Series: Civil Case Files

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AFTER RECESS

MR. CARTER: Dr. Issidor Cheim.

ISSIDOR CHEIM, called as a witness by and on behalf of the plaintiffs, being first duly sworn, testified as follows:

BY MR. CARTER:

Q Your name?

A Issidor Cheim.

Q Present occupation?

A I am the Director of Research of the Commission on Community Interrelations of the American Jewish Conference.

Q What is this Commission on Community Relations?

A The Commission on Community Interrelations was a department established by the American Jewish Congress to pursue an independent program of research and the application of social science research techniques to problems of inter group relations.

Q How long have you held your present position, Dr. Cheim?

A I have been the Director of the Department for about a year and a half. For several years previously, I was Associate Director of Research and I originally joined

Chain - Direct

the department in about 1946 as a research associate and project coordinator.

Q As a director of the commission, what duties do you perform?

A I carry out research and supervise research on problems arising from relationships between groups in this community.

Q What is your educational background?

A I received my Bachelor of Science degree in Social Science at the City College of New York in 1932, my Master of Arts degree at Columbia University in the Department of Psychology in 1933, and my Doctor of Philosophy degree in the same department in 1939.

Q Prior to joining the staff of the commission, what previous experience had you had?

A Well, the preceding year, I was a research associate of the Mayor's Committee on Unity in New York City. Contemporaneous with all of this, I had been teaching at the College of the City of New York from 1937 to about 1950 in the Department of Psychology, where I taught courses in abnormal psychology, social psychology, and psychology of personality, the developmental psychology of childhood and adolescence. I was the department supervisor for the evening session of City College from about 1939 to about

Chein - Direct

1947, I believe. Last term, I was an adjunct professor of psychology at New York University. At the present time, I am a member of the parttime faculty of the Columbia University's School of Social Work, where I am teaching a course in the dynamics of group relations.

Q Have you written any technical books or articles in the field of psychology?

A Well, apart from papers read at the various professional meetings of professional societies, I have had published in many technical journals some 25 articles. Some of these have been republished in book form. I have also contributed to various books.

Q Would you list the important professional societies to which you belong?

A I am a fellow of the American Psychological Association, I am a member of the Executive Board of one of the divisions of the American Psychological Association, namely, the Society for the Psychological Study of Social Issues. I am a fellow of the Division on Personality and Social Psychology of the American Psychological Association. I am a fellow of the American Association for the Advancement of Science. I am a member of the American Statistical Association. I am a member of the National Association of Interrelations Officials -- I can give some others. Is

Cheim - Direct

that sufficient? I am a member of the New York State Psychological Association, of the Eastern Psychological Association, of the World Association for Public Opinion Research -- that is all I can think of.

Q Have you specialized in any particular field or any phase of psychology?

A Well, the broad field of specialization has been social psychology. Within this field, I have particularly as I have already indicated, specialized on problems having to do with relationships between groups and problems arising from such relationships.

Even more specifically than that, for the past few years, I have been particularly concentrating on problems relating to membership in minority groups.

Q Dr. Cheim, have you had occasion to make a comprehensive study of the views of social scientists on the effect of segregation on an individual?

A Yes, I have. And together with Max Deutschler this study has been published in one of the technical journals.

Q I want to ask you several questions about that study, specifically relating to the study. How many social scientists did you consult in the study?

A Well, we polled 849 social scientists, of whom

Cheim - Direct

a very high percentage of returns -- 517, or 61 per cent -- responded.

Q In making the study, Dr. Cheim, how did you go about selecting the people that you were going to poll?

A Well, in a sense, except for guaranteeing that they were social scientists with special knowledge and experience in this area, we did not select them, we took all of the membership of the American Ethnological Society, all of the members of the Division of the Personality and Social Psychology of the American Psychological Association and all of the members of the American Sociological Society who indicated in the Director of the Society the specialization in social psychology or race relations.

Q In other words, am I correct in assuming that you did not select a particular geographical group of social scientists?

A No, in so far as social scientists are to be found all over the United States, and there were a few included even in the Territory of Hawaii, the sample was wherever social scientists are to be found in the United States. We checked on the distribution of returns and this was pretty much a geographical distribution, and this was pretty much like the distribution of the telephone.

Q Briefly, Dr. Cheim, would you indicate the type

Chaim - Direct

of questions that were put and the type of answers that were received?

A We put three primary questions to the social scientists:

One was the question whether in their opinion the practice of segregation, even if equal facilities were assumed, were detrimental psychological effects on the individuals who were segregated, on the members of minority groups who were so segregated. I should say the question was also put in terms of enforced segregation.

Secondly, we asked the same question about detrimental effects about enforced segregation, assuming equal facilities, on members of the majority or segregating group.

Thirdly, we asked for the basis of the replies, whether this was based on their own personal research and research that they knew about, and so on.

We also invited them to elaborate upon the responses that they made.

Q In the tabulation of the replies, was there a geographical breakdown?

A Yes. We broke the returns down both by geography and by profession.

Chern - Direct

Q Would you, briefly, indicate what the breakdown was?

A Well, geographically, professionally broken down it was a question of primarily whether the names came to us in the list of the American Ethnological Society. This is a branch of anthropology which is concerned with cultural anthropology and the ways the people now live. They are branches of anthropology concerned with body build, with other areas of anthropology which have no relation to the present problem.

Of course, geographically, we followed the census divisions, so that we could give the results on, for example, the social scientists living in the South -- if that is what you are after -- how they responded as compared to the total sample.

Q What was that response?

A Do you want the South alone? Or do you want this in relation to the total group?

Q Give the total group and then give the South alone.

A All right. On the question of whether segregation in their opinion had, under conditions of equal facilities, detrimental effects on those who are segregated, the results were as follows:

Cheim - Direct

90 per cent of the total number of respondents said that there were detrimental effects. Two per cent said that there were no detrimental effects. The remainder were divided equally between those who said that they had no opinion on the matter or simply those who failed to answer this particular item.

The proportions from the South are, as far as the agreement on detrimental effects is concerned, practically identical. There is a sharpening of the groups in that those who say that it is detrimental are slightly higher, actually 91 per cent of the southern respondents said that segregation -- enforced segregation, under conditions of equal facilities, is detrimental, psychologically speaking. Six per cent, a somewhat increase in the number, said that it was not detrimental and that the balance said that they had no opinion.

Q Dr. Cheim, aside --

A May I?

Q Certainly.

A On the question of the effect on the segregators, that is on the majority group, the results were not as sharp but they were still quite overwhelming in one direction. 83 per cent of the total sample of respondents said that segregation -- enforced segregation, even under

Cheim - Direct

conditions of equal facilities, is harmful to the members of the majority group. Four per cent said that it was not. The balance were again divided between those who had no opinion in the question or those who simply did not answer this item.

On the Southerners, again, there was a slightly -- probably not significantly higher -- number who agreed that segregation under these conditions is detrimental to the members of the majority group. There were 84 per cent who agreed with this. There were 6 per cent who said that it is not detrimental, and the balance again said that they had no opinion on the matter.

On the question of the basis on which they reached these conclusions, most of the respondents indicated more than one basis. About two-thirds referred to their own experience in the exercise of their professions as providing a basis for such conclusions. About 60 per cent referred either in addition or independently of this to research findings in the literature. Some 29 per cent referred to their own research.

• There was a small number, something like 3 per cent, who stated that the basis of their response was not in terms of either their professional experience or available scientific evidence, but simply purely personal

Cheim - Direct

opinions. In terms of one respondent, I remember, he said, "This is in terms of my value system, not in terms of any evidence that I have."

There were only 7 per cent who did not answer this particular item.

Isidor Cheim - Direct

Q And now, Dr. Cheim, have you, other than this comprehensive study, made any personal examination and study of the effects of segregation on individuals?

A Yes. As I have indicated, I have been very much concerned as a scientist with this total problem. As an indication of this, in 1938, for example, there was the International Conference on Mental Hygiene which was held in London. In preparation for this conference, various preparatory commissions were convened. I convened one such committee in New York City of interested scientists, and this commission was concerned precisely with problems of group membership.

At the Mid-Century White House Conference on Children and Youth, I was the invited speaker in the panel on the effects of prejudice on children. I do not want to go into the way the Mid-Century White House Conference was set up unless you want me to.

I have, personally, for many years, been concerned with these problems, and not, of course, segregation, but similar problems as they affect the Jews. I have on occasions interviewed Negroes, particularly Negro students, to get some notion as to how they felt about these things and what these things meant to them.

I have in many of my classes followed the practice of

Isidor Chein - Direct

asking for extensive autobiographies and have, in the course of the years, been privileged to see these frank and detailed autobiographies among Negro students, and so on.

So that, in so far as it was humanly possible for me to do so, I have tried to become generally familiar with all of these problems.

Q Now, Dr. Chein, based on this comprehensive study that you have made and on your knowledge and experience, have you reached any conclusion as to the effects of segregation on individuals?

A Yes, indeed, I have. In general, I might say that these conclusions are very much in line with the elaborations which more than half of the social scientists in the study that I have described have given.

Q What conclusions have you reached?

A The conclusions are that there are feelings of inferiority and of insecurity which develop in the members of the segregated groups, which are a function of the fact of segregation rather than of any facilities which they experience; that they are prone to develop strong feelings of self-doubt; that they are prone to develop mixed attitudes toward themselves, including feelings of self-hatred, as well as the opposite feelings. They are, in the technical lingo, referred to as ambivalents; but they are likely to

Isidor Chain - Direct

develop feelings of being isolated and alone and of not belonging anywhere, including, in many cases, not even in their own group; that they develop attitudes of cynicism; that there are reflections of these reactions in a loss of initiative and efficiency; that there is a diminished sense of personal responsibility, or, in some cases, they develop what is referred to in the technical lingo as ideas of persecution, that is, they become extraordinarily sensitive to even more than would be objectively justified to attribute to others the desire to persecute them; that in many instances they develop, or in relation to this, and partly a function of this, anti-social behavior; and in what perhaps is another way of looking at what Professor Smith and Dr. Brooks have testified to this morning, what I would describe as disturbances in the sense of reality. As one of the respondents put it in the survey, they experience fantastic misvaluations of their problems and of themselves and of the majority of individuals.

With regard to the effects on the segregated groups, both the respondents and myself, in effect, tend to feel that the effects are detrimental, but the situation is not as clear-cut or as certain -- detrimental, now, in the dimensions in which I have been talking about so far; not in the sense in which Professor Smith and Dr. Brooks have

Isidor Cheim - Direct

testified; there are other directions; I am speaking now in terms of the personality effect. The effects which seem to be involved are of a different character, for the most part, except for the disturbances of defensive reality that I referred to, and even this manifests itself in a different way in the two groups -- for the most part of a different character. There is in a great many of the members of the majority group a sense of guilt. There is a very different kind of effect in the form of the dissociation of moral values. That is, in order to protect the value system which has developed in a segregated society where people are treated differently on the basis of skin color, they, in order to protect this value system, have got to in some way break it up so that they can act toward the Negro and feel toward the Negro as they are supposed to.

8-2

The effect of this, of course, is a weakening of the moral system of the whole individual, not barely in the ethical sense of the term but in terms of the control which the individual has which sustains his relationship to authority. They are concerned with his self-control, and the plan of his behavior, and so on.

Q Dr. Cheim, you have been discussing this problem generally. I would like to bring ourselves down to the specific problem before the Court, and that is the question

Letter Gladys - Direct

of segregation in education. In your opinion as a psychologist, does segregation on the basis of race in education have any adverse effect on the educational content of the segregated child -- what he gets out of the school?

A I would say, definitely, Yes, and for two particular reasons. I think I could give other reasons, but there are two which I regard as particularly important. One is the large role which the school plays in the life of the individual child. Obviously, the effects of segregation in the schools would be different from the effects of segregation in, say, the dining-cars and pullman trains. But these areas of their lives which are most frequent and in which they spend most of their time are particularly important to them, but more fundamentally than that, is that the school is to a child one of the representatives, and one of the important representatives, of authority.

I can put it in these terms: Interestingly enough -- and this complicates the problem from the point of view of adjustment of the segregated child -- Negroes have, by and large, not developed feelings of hostility toward the form of government or the institutions of the United States as such, or of their individual states. They feel a deep sense of loyalty in so far as I can determine, to these institutions. The effect is that they cannot say to the State or

Isidor Cheim - Direct

to the Federal Government, as they can say with regard to an individual person on a purely social plane who discriminates against them, who holds them in contempt, and so on, --- they cannot say this in terms of the way they feel about these authority symbols. They cannot say these things,-- "You are a bad cousin, and I don't care what you say or what you think about me." There is a defense mechanism which is available in terms of social prejudice which is not available in terms of such official expressions of prejudice. So, they have this authority system saying to them, "You are not good enough."

So, on the one hand you have a form of government that is rich in personal equality of individuals, and they must be so comparable -- that is the only way they can interpret us -- that, despite the official interpretations of equality, despite the fact that all the basic documents of our country, or certainly a great many of them, express this equality of human beings, they must be treated in such a differential and discriminatory fashion. And the other people have to be protected from condemnation by them.

So, the school inherently, and segregation in the school inherently, means infinitely more than the effects of prejudice elsewhere and has the effect of stamping-in these other effects and saying they are right.

Isidor Cheim - Direct

Q Dr. Cheim, you heard the previous testimony. You know that in Farnville, Virginia, the town involved in this suit, there is a high school which is set aside exclusively for Negroes and a high school which is set aside exclusively for white children?

A Yes; I know that.

Q All other factors aside with respect to the physical facilities involved, and only taking into account the question of segregation, as a psychologist, in your opinion, can the Negro child who is required to attend the Moton School receive educational opportunities equal to those available to the white child who may attend the Farnville High School?

A I would say that while facilities have their own consequences, and so on, regardless of the facilities, there could be no equality under these conditions.

Q Would you mind just briefly indicating why this is so?

A Well, there are at least five lines of evidence which have a bearing on this general problem, and all of these appeared, I might say, in the elaborating comments of our respondents in the study which I mentioned before.

There is, first of all -- and I think I should say this -- I am not sure that I am answering your question. Would you repeat the question?

Exhibit Chain - Direct

Q Assuming only the fact of segregation and that the Negro child is required to attend the Moton High School because he is a Negro, can he receive educational opportunities equal to those available to the white child in the Farmville High School?

A Yes; I have already answered that and said that regardless of facilities, there can be no equality of legislation, because of the differential effects.

Q What I wanted to get briefly was the basis for your answer. We are now making a comparison of the facilities between a non-segregated and a segregated group.

3-3

A The basis of the answer is that there are these differential effects on white and Negro children in relation to the fact of segregation. Do you want me to give the basis for saying there are differential effects -- that there are these consequential effects we have gone into before.

JUDGE DOBIE: Don't you think you have gone into that?

THE WITNESS: I could indicate the lines of evidence. What has been expressed, therefore, has been one line of evidence, so to speak.

JUDGE DOBIE: Don't you think it would be all right just to enumerate those without going into them? I think we have your position pretty clearly.

Isidor Cheim - Direct

A (Continuing) For instance, there are instances in which there is segregation with equal facilities, in which physical facilities are equal, and in studying individuals growing up under these conditions with the fact of segregation, the personality effects which are observed are essentially similar.

JUDGE DOBIE: The question was, Assuming these facilities, the evil effects of segregation per se -- and you said that they were evil -- you said there were five lines of evidence. If you will, just tell us what they are?

A (Continuing) Yes. I want to indicate the lines of evidence by saying it is a question of segregation rather than facilities. The first line is that physical facilities are equal.

The second line of evidence has to do with determining, on the basis of clinical study of the individual, what factors are related to feelings, let us say, of self-doubt, or feelings of self-hatred, or insecurity; and in investigating these relationships clinically, the facts of facilities rarely appear unless they appear in the form of symbols of status differences, and the role of segregation is perceived in status terms.

The third line of evidence has to do with the evidence that is available on developmental studies of children: that

Exhibit Chain - Direct

they become aware of their inferior role as it is manifested through segregation at an age long before they become aware of the significance of physical facilities.

The fourth line of investigation involves the correlation of the degree of deprivation in physical facilities with the degree of manifestation of these psychological effects.

Such studies, as far as I know, have not been carried out in a strict statistical sense, but, on the basis of observation, many social scientists will testify that such a correlation is alone; that is, the psychological effects do not depend on the physical facilities but on the fact of segregation as such.

Finally, there is the line of evidence involving reasoning from conditions to effects. These are the conditions under which individuals live. We have learned something of psychology in the course of the years. Again, we reason from these conditions under which they live, and the kind of effects which one can expect.

These are the principal lines of evidence which are at the present time available and have bearing on this question.

MR. CARTER: That is all.

JUDGE DOBIE: Do you want to cross-examine him?

MR. MOORE: Yes, sir; we will have some questions.

JUDGE DOBIE: All right. I thought we would adjourn

Isidor Stein -

for lunch. Suppose we adjourn now?

MR. MOORE: Oh, yes, let us adjourn now. I think we will all be in a better frame of mind if we adjourn for lunch.

JUDGE DOBIE: All right. We will adjourn until 2:25.

MR. ROBINSON: If Your Honor please, I would like to ask an adjournment until about 2:45. Your Honor granted an adjournment yesterday of an hour and fifteen minutes. We have a long way to go to get something to eat. We spend about three-quarters of an hour in traveling, and we have thirty minutes in which to get lunch. The case has moved along rather fast and I don't think it will delay us too much.

JUDGE DOBIE: All right. We will adjourn until 2:45.

(Thereupon, at 1:10 p.m., a recess was taken until 2:45 p.m.)

AFTERNOON SESSION

(The hearing was resumed.)

MR. MOORE: We are ready to cross examine Dr. Cheim.

JUDGE DOBLE: All right.

DR. ISIDOR CHEIM, the witness on the stand at recess, resumed the stand and testified further as follows:

CROSS EXAMINATION

BY MR. MOORE:

Q Dr. Cheim, just how do you spell your last name?

A C-H-E-I-M.

Q What kind of a name is that? What sort of racial background does that indicate?

A The name is a poor English version of Hebrew which designates charm.

Q What is your racial background?

A As Dr. Smith has testified, I could not give an honest answer to that because of the complexity of the concept. I think what you want to know is am I Jewish.

Q Are you 100 per cent Jewish?

A How do I answer that?

Q I do not know, you know.

A In all honesty, the framework of the question is not one which can be, as far as I know, intelligently answered. All of my -- both of my parents and all of my ancestors, as far back as I know, were Jewish.

A That answers my question. I simply wanted to find out what was the story about that. Where were you born?

A In the United States, in New York City.

Q Were your parents native born in the United States?

A No.

Q Where were they born?

A In Poland.

Q How long had they lived in this country when you were born?

A I am not sure -- for some 20 years, I think. I was the youngest child.

Q What schools did you attend as a child until you reached a position where you were ready to go to college?

A I went to the public schools, I went to the Townsend Terrace Hall, which was a preparatory high school, which was part of the City College.

Q Is it operated as a public supported institution?

A That is right. But it was under the Board of Higher Education, as distinguished from most of the public high schools that are under the Board of Education.

Q You started to school at about what age?

A Well, six.

Q And then you finished high school at what age?

A About 17.

Q And all of that 11 years was spent in public high schools in the city of New York -- I mean, in public schools.

A No, there was a period of about two years in which I attended a religious school.

Q What kind of a religious school?

A Jewish.

Q That was about what year?

A I started in the public school and I ended in the public school; somewhere in between. I think from the second to about the seventh year.

Q Did you find, as a child growing up in New York City between those ages, that there was actual separation to any extent between white and colored people in the public high school system of New York City?

A Yes. I would not say that I found separation. I could not see Negroes a good part of this time.

Q All I am trying to get at is the answer to a simple question. Did you find that segregation was, in fact, practiced in New York City?

A If I now look back, yes. In terms of what I experienced, no.

Q You mean you did not attend public schools where there was segregation?

A I did not attend any public schools in which to my knowledge any Negroes were excluded.

Q In the public schools --

A I say this because to me it makes a difference.

Q In the public schools that you attended, about what were the proportions of Negroes, Chinese, Japanese, other foreign born, and Negroes, roughly, in New York?

A I don't remember the elementary school -- you say New York?

Q That is where you say you went to school.

A Yes, but there is neighborhood segregation in New York. I don't remember the elementary schools. In the high school, I would say it was about 10 per cent of Negroes, a smaller percentage of other non-whites.

Q You had classes of about how many in a class?

A This varied perhaps as many as 30 at high school and at college, by and large, the classes were smaller, and there were about 20.

Q So in high school, out of classes of 40, there would possibly be three Negroes in the class?

A Perhaps.

Q And about what would be the percentage of foreign born, say, Italians, Greeks, Japanese, and what not?

A Those ran very high. Of Japanese and Chinese, there were relatively few. Perhaps in my whole school career, until I got to college, I may have met in classes three or so.

Q You referred to segregation, neighborhood segregation, in New York City; just what do you mean by that?

A Well, people -- this is by no means universally true, but there is a tendency for people to live in neighborhoods which are relatively unmixed.

Q Is it not true that the great majority of the public schools operating in New York City operate with either no Negroes attending the school in question or practically an insignificant portion being Negroes?

A I don't think that that is true at the present time. For one thing, there has been much more moving since I was a child, so that when I was a child, so far as I know, there was only one Negro neighborhood in the city. At the present time, there are many and there are

Negroes living in mixed neighborhoods as well. The effect is that there is more mixing in the schools. There are schools where there are very few Negroes -- very few whites, say, and there are schools with very few Negroes.

Q How do you account for the fact that although there is no segregation provided by statute in New York State, that in such a large proportion segregation is actually practiced?

A There are many factors that make for segregation, not all of which are by any means legal. For one thing, Negroes are discriminated against in New York, in terms of the places where they can move, in terms of landlords who will rent to them, for example.

Q Have you had sufficient experience to have any opinion as to whether or not in actual fact and in actual experience there is any greater or less discrimination, as you call it, against Negroes in New York City than there exists in Virginia?

A There is no discrimination whatsoever on a legal basis.

Q That was not my question. I said in practice.

A I cannot testify to that because I am not sufficiently an authority on Virginia. I would be surprised if

there was as much, but this would be purely a personal opinion.

Q Are you not sufficiently familiar with conditions in New York City to know that even among the Negro group that there is very sharp prejudice -- if you want to call it that -- as between large segments of that race, which has a light color as compared with those that have extremely dark color?

A This is an example of one kind of effect which I was talking about. The development has added to the self-hatred and the development of underestimating one's growth. It is my impression that there is less of that today in New York than there was.

Q As I indicated awhile ago, there is in New York very sharp racial prejudice as between the Negro group itself as between the segments of the light color as against the dark color?

A This, I say, is one of the consequences of this type of experience. It is a reflection of attitudes which one develops towards one's self when one is placed in a world in which one's group -- one's identity, to begin with, is defined in terms of one group, and one's group is undervalued.

Q At this stage in our little friendly question and answer here, I would like to get straight as to how

you distinguish between what you refer to as "prejudice" among the races, as compared with preference; do you see any difference between those two attitudes?

A Yes, I see there is a difference, but I am not sure how it is relevant here. One is a positive and the other one is a negative thing.

Q Won't you explain it further here, amplify it?

A Sure. There are people that I like, that is positive, I move towards them; the people I dislike, I move away from them.

Q Do you not recognize that if, by court decree, separation were done away with in certain sections of the country, particularly in this area we are now talking about, that that would mean a forcing on the majority of the population a situation which they prefer not to have?

A Well, to begin with, I think it has not been demonstrated that the majority would prefer not to have it.

Q You question that?

A That is one of the things I would question. But I don't think it is important.

Q Do you question that in Virginia? Let us get that straight.

A So far as I know, there has never been any poll

of public opinion in Virginia as to -- as to how people would regard the changeover of schools from segregated to a non-segregated system.

Q So you seriously question whether the majority would like to change the present system?

A No, I don't question whether the majority would like to change, I simply question as to whether there are any facts as to what the majority would like.

Q Let us move on a bit further to this matter of your education.

A Could I add to my answer to your original question?

Q Sure.

A In terms of forced association. It seems to me that all that the changeover would require, by law, would be that children should be admitted to the same schoolroom, that they should be allowed the privilege, if they so wish, of associating. There is nothing in the law which requires, in an unsegregated school, that white children should be friends with Negro children, or vice versa. This tends to develop friendships. But the law simply says that -- in an unsegregated school system, they should be allowed the privilege of attending the same classes, having the same teachers, being present at

the same time together. I look around this courtroom, I see whites and Negroes sitting together. That does not mean they are becoming intimate or friends or apparently there is no fundamental violation of the possibility of sitting in the same room together. Nothing terrible happens.

Q May we just pass from that to the question I had in mind?

A Sure.

Q You were in Columbia, I believe, until 1933 when you graduated with a degree and then you got your Ph.D in 1939. You were not in Columbia all of those intervening six years?

A Well, that would depend on how you mean "in Columbia." I was not taking courses all of those six years, I was around a good deal of the time.

Q What were you doing during that time?

A I was -- a good deal of the time, I was supporting myself on the outside, I was working on my dissertation at Columbia. I audited courses, and so on.

Q You were at City College, you say, from 1937, as you were testifying, until when?

A About 1950.

Q Why did you leave City College?

A I was carrying on a full time job and the sheer pressure of continuing evening work was too much for me. I became ill. Not because of that, but my doctors advised me to restrict myself to one job.

Q The work you were doing at City College was in the evenings?

A At this time, yes.

Q As I understand it, your principal occupation, at the present time, is in your employment by the American Jewish Congress.

A That is right.

Q How long have you been employed by that organization?

A Since 1946, I think.

Q Just what is the makeup of the American Jewish Congress? Of what does its membership consist? And how does it operate?

A Well the membership of the Congress consists of -- well, it has two kinds of memberships -- one is organizational, that is, there are organizations who belong to the Congress as organizations; and the second is individual, as individuals can join the Congress as individuals. I am not sure that I understand the question how it operates.

Q How many members are there?

A I don't know.

Q Are there a thousand?

A Oh, there are considerably more. How many, I do not know.

Q How is it financed?

A Again, I would not speak with authority on it. I think there are two primary sources of income: One is from the United Jewish Appeal in New York City and the second is from various welfare funds in Jewish communities all over the country. There are, of course, members who pay dues, but I think the cost of maintaining a member is greater than the dues that they pay.

Q What size budget does it have annually?

A This varies. I think -- well, I can tell you the budget of my department.

Q Do you have any idea as to the budget of the Congress?

A It is about a million dollars. I am not in the auditing department. My department is a separate department.

Q You work as a consultant in certain special lines, as I understand it.

A That is right. It is more than a consultant.

Q What is your typical week's work? Let's just

4 get that. What is your typical week's work?

A Well, this will vary at different times. It would involve a consultation with my staff members on various projects which they are doing. At the present time, it would involve writing up a study which I am writing up, which I was involved in carrying out. That is the principal substance of the work. As in any organization, there are lots of meetings and I am often called in as a consultant to outside organizations.

Q Who are the principal financial supporters of that organization?

A I explained, the United Jewish Appeal of Greater New York City.

Q About what proportion does that participate?

A I couldn't swear to this, I think it is about half of its budget.

Q And the other comes from miscellaneous memberships and contributions.

A No, principally from welfare funds, what amounts to community chests.

Q Welfare funds?

A That is right.

Q Coming from Jewish organizations over the country?

A Jewish communities, yes.

Q Just what are the purposes of that organization?

A Well the purposes of the American Jewish Congress are to advance the welfare of Jews and all other minority groups in the United States, particularly Jews. The reason for all other minority groups is that in the general philosophy of the Congress, the fate of the Jews is bound up with the fate of all minority groups.

Q Is there any relationship or connection between that organization and the NAACP?

A As far as I know, there is no formal connection.

Q Let us get the whole connection.

A Informally, there is another department of the Congress which is concerned with the law and social action, which I believe has had considerable amount of contact with the NAACP. This is my first. I may have -- well, I am pretty sure that I met Mr. Thurmond Marshall at a meeting once, but this is my first contact with anybody that I knew, my first extended contact that I knew of as being in the NAACP.

Q Is it not true that among the Jews of this country there are very sharp factions and, shall I say, prejudices by one group towards another group, even among the Jews?

A Certainly.

Q Is one of the purposes of your organization to try to mix all of those up and get a better result?

A Yes. Not to mix them in the sense of eliminating differences among them -- there are, for example, different religious sects among Jews. It is not the purpose of American Jewish Congress to turn orthodox Jews into reformed Jews, or reformed Jews into orthodox Jews. But it is one of its purposes to help them to work together to get to know each other to develop respect for one another in contact through working through a common program.

Isidor Cheim - Cross

Q Is there any relationship between your organization and the work that is being done toward the development of the new nation of Israel?

A Yes. It has always tried to do, in aspects of the American Jewish Congress Program, to do whatever it could to facilitate the beginning of the State of Israel, and now that the State of Israel exists, to do whatever it can to help it.

Q That is one of its purposes?

A Yes.

Q Now, may we turn to another subject; that is, this study which you said you and Dr. Deutscher made. Now, in what year was that study made?

A It was published in 1948. The study was done in that year and, I think, the tail-end of the proceeding here --

Q What was Dr. Deutscher's background? Who was he?

A He was a psychologist. He had a Ph D; I am not sure of this: I think it was from Yale.

Q Is he living now?

A Yes.

Q What does he do?

A I think he is in private practice, doing psychotherapy.

Q Over what period of time did you and he make this

Isidor Chein - Gross

survey, as you call it?

A It probably took about six months from the day we got the notion of doing the study to the day when the study was written up.

Q What inspired this study? What caused it to be made?

A Well, this has to do with the basic reason for the existence of my department. You will recall that I stated that my department exists in order to carry on research that will bring to bear the knowledge and techniques of social science on problems of inter-group relations. Because of my contact with him, I had to be very proximal. We were in offices right near each other.

On the question of law and social action, we became aware of this whole problem of segregation. I first became aware of it in connection with the school system, as a matter of fact, as a problem on which, we realized, the knowledge and experience of social scientists would have considerable bearing and, therefore, we felt that there would be some value in getting a consensus of social science opinion on these problems.

Q Did you inspire this study or suggest it?

A Specifically?

Q Yes.

Isidor Cheim - Cross

A Yes. It was my idea to conduct a poll of social --

Q It was something like a Gallup Poll?

A No, it differs from a Gallup Poll in a great many ways. One is in the nature of population being investigated; one is in the technique of investigation; one is in the purpose -- why the investigation was carried out.

Q Do you smoke Camels or Lucky Strikes, or what do you smoke?

A My preference is for Herbert Harringtons. That is not a fixed preference.

Q Are you familiar with the polls that the tobacco manufacturers and other people make?

A Yes.

Q You think your poll was of a different character than that?

A Yes.

Q Now, as I understand it, you sent questionnaires to three types of persons that you refer to as social scientists?

A That is right.

Q First -- what do you call it?

A Ethnologists.

Q No. I will start with one I am sure about, the anthropologists.

A Yes -- a particular branch of anthropology.

Isidor Cheim - Cross

Q You sent it also to a certain group of psychologists?

A Yes, social psychologists, members of the Division of Social Psychology and Personality of the American Psychological Association.

Q There was a third group. How did you describe that?

A Sociologists. Those sociologists specialize in the problems of race relations and social psychology.

Q How many persons in those three groups are there in the United States?

A Well, according to the membership statistics -- these are memberships of professional organizations -- the membership, as we got it on the lists we obtained, was 849.

Q You mean 849 in the whole group of all three subjects?

A That is right. Now, this does not include all anthropologists. It includes the anthropologists of a kind who are sufficiently interested in the specialization of their field to have joined the American Ethnological Society. This does not include all psychologists. It includes those who are particularly concerned with a particular aspect of psychology, namely, that of social psychology and personality, to have joined a particular division of the American Psychological Association. Nor does it include all psychologists. There are many branches of psychology. This includes those

Isidor Gheia - Cross

psychologists who are concerned with problems of social psychology and racial relations. Social psychology is a specialty in psychology and sociology.

Q Suppose you had sent your questionnaire to every person in the United States who could have qualified in these three groups; how many would you have sent it to?

A 849.

Q How many did you send it to?

A 849.

Q You sent it to all of them?

A Yes, sir.

10-2

Q Now, tell us how many sociologists and anthropologists and psychologists there are in the United States?

A I could not testify to that. In terms of the entire field of anthropology, I think, in the American Psychological Association there are at the present time -- I wouldn't even swear to this -- I think there are some 6,000 or more, maybe 8,000, but this includes some divisions.

Q Now, you got how many responses?

A 517, 61 per cent.

Q In your 517 there must have been more in one of these three groups than in others. Which group had the greatest number of replies?

A Well, the greatest number of individuals, to begin

Isidor Cheim - Cross

with, psychologists, and the greatest number of replies were from psychologists.

Q Not sociologists?

A No. The returns reflected the distribution of the population. As we compare the distributions -- I can give you this in detail if you wish.

Q Just suppose you give us the number of replies in each one of the three groups. Out of a certain number that you sent the questionnaire to, how many replied in each group? Just give us that.

A All right. Of anthropologists there were 222 and approximately 48 per cent of the anthropologists returned. In terms --

Q Give us the number. Have you got it there?

A Yes. I have it here in percentage figures. I would have to calculate it.

Q It is 48 per cent?

A Yes. I would like to say, in terms of proportions sent the anthropologists, the proportion was 28 per cent. In terms of the percentage of returns they were 21 per cent.

Q In other words, the total of all those that were sent out was 26 per cent?

A That is right.

Q And the return that you got was 21 per cent of the

Isidor Cheim - Cross

total that you got back?

A That is right.

Q Or was that the total of those that were sent out?

A No. On those sent out, about 48 per cent of the anthropologists sent their returns -- of the total number sent out to the whole 849, 25 per cent were anthropologists. The total number of returns, 21 per cent approximately, were anthropologists.

Q Just take up the other two groups and give us the corresponding figures.

A There were 416 psychologists. In terms of the percentage returned, 65 per cent of the psychologists returned. The sent-to psychologists, the proportion of all those sent out, was 49 per cent. The proportion of psychologists making the returns was 53 per cent.

Q The last group?

A The sociologists, altogether, there were 211, and approximately 66 or so per cent of these were returned, and the relative proportions were about -- there are two groups of sociologists -- something like 15 per cent, and approximately the same among the returns, that is, 15 per cent of those sent to sociologists, about the same returns.

Q Now, will you state, kindly, as precisely as you can -- if you have any papers with you, I would like you to

Isidor Cheim - Cross

read from them -- what were the questions that you submitted?

A Yes.

Q You said that you submitted three questions. I don't want any approximation. Just read it in quotes, if you will.

A I will give them to you exactly. The first question was: "What is the psychological effect of enforced segregation on the segregated racial and religious groups?"

Q " . . . on the segregated racial and religious groups"?

A Yes. We were speaking of segregation with respect to racial and religious groups.

Q So, you combine in that question race and religions, do you not?

A Except, of course, that there is no segregation with regard to religious groups.

Q The fact is that you did combine them in that question.

All right. What is the second question?

A They were given the following alternatives to choose:

"I believe that enforced segregation has detrimental psychological effects on members of racial and religious groups which are segregated, even if equal

Isidor Shein - Green

facilities are provided."

"I believe that enforced segregation does not have detrimental psychological effects on members of racial and religious groups which are segregated if equal facilities are provided."

The third alternative was:

"I have not as yet formed an opinion on this issue."

That was the first question.

BY JUDGE DOBIE:

Q They checked the one that indicated their views?

A That is right. About half added elaborations of various kinds.

BY MR. MOORE:

Q As I understand your question, you included the word "enforced"?

A That is right.

Q Did you intend to distinguish between enforced segregation and voluntary segregation?

A That is right.

Q As I understood it, the answer you got to that first question was, you stated, there were 90 per cent of those people who sent answers, who checked the first one of those alternatives?

Isidor Chalm - Cross

A That is right.

10-3

Q Now, you did not afford any opportunity for the person responding to discuss it in terms of degree at all, did you?

A Yes, because we invited elaboration.

Q Well, can you give us any measure of that as to the answers you got?

A Well, slightly more than 55 per cent had more to say than simply picking the alternatives.

Q I am trying to explore the question as to how much of an answer in terms of degree you got.

A Specifically, I am not sure that I understand this particular question. How would you word it?

Q I have already worded it.

A In degree of what?

Q I am trying to find out if you contend that you got any answers that indicated any degree to which the people responding were of opinion that there was something detrimental in this enforced segregation on the basis of races and religions?

A You mean how strongly they agreed?

Q Yes. It must have varied.

A There were indications of some variation in some of the comments -- not very many. This did not strike them

Isidor Chain - Cross

as a significant thing to talk about.

Q Did not? Let us move on --

A This, I might say, is one of the differences between this and the Gallup Poll. These highly sophisticated individuals who were answering this, anything they felt was of relevancy in qualifying their answers, they would know enough, if they bothered to answer at all, to qualify their answers.

Q In that question did you use the word "and" or "or" with reference to race and religion? Did you say "race and religion," or "race or religion"?

A "Race and religion."

Q Give us the second question.

A "What is the psychological effect of enforced segregation on the group which enforces the segregation?" -- and there were the following three alternatives --

Q Just give us the alternatives on that.

A "I believe that enforced segregation has a detrimental psychological effect on the group which enforces the segregation, even if that group provides equal facilities for the members of the racial and religious groups which are segregated."

Q That was the first choice?

A That is right.

Isidor Cheim - Cross

"I believe that enforced segregation does not have a detrimental psychological effect on the group which enforces the segregation, if that group provides equal facilities for the members of the racial and religious groups which are segregated."

And the third alternative was:

"I have not as yet formed an opinion on this issue."

Q Now, will you give us the third?

A The third question was:

"My answers to the above questions are based upon my own research findings."

The second alternative was:

"The research findings of other social scientists."

The third alternative was:

"My own professional experience."

And the fourth alternative was:

"Professional experience of other social scientists which has been made available to me."

In addition there was:

"Please feel free to make additional comment and to qualify your position in any way."

Q Did you give the percentages with reference to the second question?

A Yes.

Q And you have given them as to the third question,

A Not in great detail.

Q Will you just give us the percentages as to how they voted on the third question?

A About two-thirds of the respondents referred to their own professional experience; 60 per cent referred to research findings available in the literature; and 29 per cent referred to their own research. There were only three per cent who said that it was purely a matter of personal opinion, they had no real evidence, or words to that effect, and there were 7 per cent who did not reply to this item.

Q You referred to the fact that in your first question religion as well as race was included, and you mentioned the fact that there was no enforced religious segregation. Why did you include religion in the first question?

A Well, to be completely honest, I guess it was a slip, but I think that the basic roots of it was a desire to be comprehensive. We were concerned with the issue, not with any particular instance, and we were asking for their views -- in effect, there have been instances of religious-enforced segregation -- not in the United States. We were concerned with what we thought the effect of such enforced segregation is.

Q As I understand it, you sent this questionnaire to all members of these three organizations?

A Yes, sir.

Liaison Chain - Cross

Q There was no choosing, so far as you and your associates were concerned, except in choosing the groups?

A Yes, and the subgroups.

Q Will you give us the proportions of white persons and Negro persons who were included in those answers --- that 570 and some-odd answers? Have you got them?

A I haven't the faintest notion, other than the proportion of the Negroes must be very, very small, because the number of Negro sociologists and the number of Negro anthropologists and the number of Negro psychologists are small.

Chain - Cross

Q The kind of professions that you are referring to here, they are in fields that are quite new, comparatively, professionally?

A Compared to physics?

Q Well, compared to the things we are more accustomed to -- the sciences, I mean, that we are more accustomed to.

A Among the sciences, these are relatively young.

Q Can it be said that any one of these things has even reached the stage of a true science?

A I certainly can say it. I am not sure what I will be saying when I say it, I believe it. I do not know what you mean by a "true" science.

Q I am willing to let the record stand at that. Will you tell us how many of these 500 odd persons that replied were south of the Mason-Dixon Line?

A Yes. 32.

Q How were --

A This would be -- I am not too sure about the Mason-Dixon Line. The Mason-Dixon Line, as I understand it, is a fictitious dividing line.

Q I would say, if you drew a line south of Washington, right across the country, and in the South we know from our geographies in school -- we haven't gotten too far

Chain - Cross

away from them to know that is referred to as the southern States -- how many were from the southern States as they were described in the typical geography that the children study in school?

A In the States that are classified as southern States in the United States Census, there were 32 respondents.

Q Suppose you give us the way those were scattered, how many by each State?

A This, I couldn't tell you now. I would have to go back and check.

Q Can you say there was a single one from the State of Virginia?

A I would be surprised if there was not, but I would not swear to it.

Q If there was one, could you say it was not a colored person?

A Again, I could not swear one way or the other.

Q Can you say there was a single one in the State of North Carolina?

A May I say this? Within the fraternity of science, we do not distinguish color. A colored person can be as competent a scientist as a non-colored one.

Q I understand that. So far as you know, all of these 32 might have been in the State of Louisiana or the

Chain - Cross

State of Mississippi, might they not?

A I would be surprised. It is conceivable, in the terms of data that I have with me.

BY JUDGE DOBIE:

Q It is highly improbable though, is it not?

A That is right.

BY MR. MOORE:

Q You just do not know.

A I do not know.

Q Can you give us the way in which the breakdown of these 32 as to how they cast their ballots on the three questions you submitted?

A Yes. 91 -- I gave it before.

Q Oh, yes, those were the percentages you were referring to in group of the 32?

A That is right. Slightly more in the southern group said that segregation was detrimental to the segregator --

Q Wait a minute. If we are going into that, we had better get the figures. Out of the 32 how did they vote on your first question?

A 91 per cent said that segregation -- under the conditions which we asked -- was psychologically detrimental to those who are segregated. Six per cent said that it was not. The remainder -- that leaves 3 per cent -- said

Chasin - Cross

they had no opinion.

On the question of the effect on the segregators, 84 per cent of this southern group said that it was detrimental to them, psychologically detrimental. Six per cent said that it was not. The balance said they had no opinion of it.

Q Do you consider that you obtained a fair sample from the southern States with only 32 people voting one way or the other?

A Well, personally, I have no doubt about it.

Q I asked you, though, as a student in this field, would you consider that getting 32 people in how many States were you dealing with there?

A Well, remember that the population that we are dealing with is not a very large one. I think I had the proportion of the returns by regions. The returns of those sent to southern States -- this was simply a function of who belongs to those associations -- there were 8.4 per cent of the total number of questionnaires sent out that were sent to the South. Of those which came back, 6.2 per cent came from the South. This is a pretty close reflection within what you would expect to take place by chance --

BY JUDGE DOBIE:

Chain - Cross

Q You do not know whether those people in that southern group were southern born or whether they were northern born, or anything about them, do you?

A No. All I do know --

Q They are members?

A That their posts were in the South.

JUDGE DOBIE: Yes.

BY MR. MOORE:

Q How many States have you included within what you call the southern States?

A This included --

Q Suppose you read them out for us.

A Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia. Those are included in the census classification.

Q Thirteen?

A Yes.

Q And you got 32 votes out of 13 States?

A Yes.

Q Do you say, as a person who works --

A If you will --

Q Now wait a minute, let me get your statement.

Do you consider that is a fair sample from even your

Chen - Cross

standpoint?

A We were not polling States, we were polling scientists, and as a sample of the scientists, it is a fair sample. It is a remarkably good sample.

Q Do you really believe that if, for example, -- do you know Dr. Odum?

A Yes, sir. University of North Carolina?

Q Do you believe that if Dr. Odum had started out to get a sample of southern States on the general questions that you pose that there would be any difference in result?

A Of the States?

Q Yes.

A We were not polling States, we were polling scientists.

Q I will put it to you this way.

A I do not believe if he had polled scientists that he would have gotten any different results.

Q Why did you include the word "enforced" in your question?

A Exactly because it seemed to us that this was the crux of the issue which was related to the Court problem, as the problem we saw was a problem in which the courts were being asked to decide about whether segregation per se was discriminatory. And it seems to us that

Chen - Cross

this issue, therefore, in so far as it was relevant to the court decisions, required us to ask about enforced segregation. The courts have no jurisdiction over other kinds of segregation.

Q Your answer implies, to my mind, that you are assuming that if segregation actually existed precisely and to the same extent that it does exist today in Virginia, and in these other southern States, that there would be a very different situation from that which exists today, where there is law that supports it. Is that correct?

A Yes, this is not an assumption. To me, this is what the available facts indicate, that the law makes the difference.

Q Do you mean to say that although all other conditions were exactly the same, in a State where there was segregation on a voluntary basis, as compared with a State where segregation was, as in Virginia, on a lawful basis, on a statutory basis, that it is your view, as you presented to the Court, that you consider that this personality warping or damage to the child is substantially different in the case where there is a statutory scheme as compared with other situations?

A That the effect would be much less marked if there were no law.

Gleim - Cross

Q Just because of the law, you say the difference is made?

3 A Yes, that is my opinion, that it is the official sanction which says to the child, "It is not only a matter of I, Joe Deaks, don't like you," but it says to the child that the government of the State of Virginia thinks that you are not fit to associate with white children. This is an authority source, and the effect of such authority is to inevitably make more impressive what is involved in the basic fact of segregation.

Q Do you not realize this fact, that in the average child in a State like Virginia grows up in a home where, based on custom and tradition the child becomes accustomed to certain ways and certain attitudes, with respect to persons of another race or group, that the existence of a statute or no statute, on the subject of segregation is going to have very little difference on the fundamental attitude of that child? Don't you recognize that?

A I do not believe that, because exactly for the reason which I have stated in direct testimony, which it is purely a social matter that can be rationalized away in a great many ways. Where the child has a basic respect for the authority of the State, where he has a basic loyalty to the State, he cannot rationalize it away. No

Chesin - Cross

cannot say, "You are a bad man, you have no sense." To the authority of the State, he has only one possible response, "You must be right."

Q Let me come back to this questionnaire you sent out. Do you have any way to find out whether or not those 32 persons in those southern States and the 500 odd persons throughout the country, made any study before they answered that questionnaire? Or may they not have just received the questionnaire and just sat right down and checked it off and written a few notes?

A I sincerely believe that scientists are people of great responsibility, that they would not take such a request in a casual manner; they lean over backwards to be fair and objective and impartial.

Q I take it that in view of your testimony on this question of what you consider to be damage to the Negro child that you would equally advocate the barring of the law such as we have in Virginia, and in other southern States, which would prevent intermarriage between the races, and those are barriers between full equality and opportunity in certain respects?

A To give a perfectly fair and honest answer to this question, I would have to elaborate some. Should I?

Q All right, sir.

Chain - Cross

A I have no desire to duck the question. Fundamentally, it seems to me that the purposes and goals of marriage are not the purposes and goals of education, and that, therefore, an adequate response to the question within the context of marriage would have to go into a further study of in what ways those respective goals are different.

I would, however, like to say that regardless of the justification for intermarriage or the soundness of the case against intermarriage, laws banning intermarriage are not a particularly effective way of dealing with the problem. There is not a great deal of intermarriage in States which do not ban it, even where there are fairly large mixed populations. On the other hand, although marriage is banned in the State of Virginia, with all due respect, the mixing of races does occur illegally. I do not think this is the way to deal with the problem. In principle, so far as race goes, I know of no reason why individuals should not be able to follow their own choice in terms of skin color. I do not think that is a relevant factor.

Q Do you not recognize that the existence of these laws, such as in Virginia and many of the southern States, banning marriage of certain groups, carry with it the implication of a difference in statute?

Chaim -- Gross

A They do, and from that point of view, I think they have similar consequences. There is a big difference, however, to the child who is 8 years, 10 years, 12 years old, who has to go to school every single day with the exception of week ends and the summer vacations, to be reminded of the fact that he is not good enough for other kinds of association, and the effect on this child of the existence of a law forbidding intermarriage, in terms of the effects on the child, there is no question as to which is the far more significant factor in terms of the weight of the State authority and opinion.

In addition to this, whatever the scientific soundness of the ban against intermarriage, in terms of whatever scientific justification there is, and I do not want for a moment to give the impression that I think there is any, but whatever soundness it may have, the ban against intermarriage is easily rationalized on grounds not having to do with racial inferiority, that the enforced segregation in the school system, as things exist now, can only be rationalized by the child in terms of the inferiority of his group.

Q What influence do you consider from the light of your studies is the greater on the child in regards to his prejudices or preferences, whatever you want to call

Chain - Cross

them, in respect to race and matters of that kind --
his home influence or school influence?

A You mean in terms of his developing prejudices?

Q In terms of his attitudes as a citizen.

A I do not know that I can answer it. If I had
to give an arbitrary -- it would be arbitrary -- opinion,
I would say fifty-fifty.

JUDGE DOBIE: I would go so far, Mr. Moore, to
say that I do not believe any person in the world
could answer your question categorically or finally.

MR. MOORE: I would say that is right. But
this gentleman holds himself out to be a very wise
man.

JUDGE DOBIE: I think he has answered pretty
fairly and pretty clearly, and you have put him
through a pretty grueling cross examination.

MR. MOORE: I have almost finished.

JUDGE DOBIE: I did not mean to curtail you.
You mean the rest about heredity and environment.
It is getting to be like they do in opera about the
question of which makes the most difference, the
libretto or the music; people will be arguing it from
now until the end of time, and some longer than that. Go
ahead.

Chen - Cross

BY MR. MOORE:

Q I have just one more question. If we agree that there is at least possibly a fifty-fifty break on the influences, your line of approach would lead you to the result, would it not, that the same opportunities cannot be offered to an advantage to the colored child unless these laws relating to the marriage were also done away with; is that not so?

A Not at all, because the effects which I am testifying to, these are not the effects to which Dr. Brooks testified to this morning. He was testifying as to the educational process per se. I am talking about the effect on the children's personality. The child who lives in a Negro home can develop a feeling of pride in being a Negro if there were nothing else. But the fact is that outside of his home he is told he is inferior and this inevitably percolates back into his home. Outside of his home he is told that he is inferior, not simply by plain, ordinary people who have no greater status than himself, but he is told that he is inferior by the full force of the State authority.

Q I do not desire to pursue this further. But I ask you this. We will agree that if certain groups or sects, for instance, the Jews, are somewhat discriminated against.

Chain - Cross

A Yes.

Q Is it your view that that has resulted in the Jew feeling any inferiority as to status?

A Yes, sir.

Q You really believe that?

5 A I not only believe it, I have evidence to that effect. But this is to a much less marked degree than in the case of the Negro. As a matter of fact, in the social science literature the notion of self-hate first appeared in connection with a study of Jews. Jews are also people just like Negroes and other white people, people of other religious groups. They react to the same kind of social and psychological forces. If the weight of society bears against them, then they tend to share in the viewpoint of society. If you are to ask -- and studies have been done of this -- Jews, "What are the characteristics of Jews?" They will come up not in as high proportion as non-Jews, but they will come up with the same kind of stereotypes that non-Jews hold about Jews. If you ask Negroes, "What are the characteristics of Negroes?" Again, you will find the picture which the Negro has of himself is not the picture which is held of the Jew. These are different pictures. The kind of descriptive terms which will come up in the process are

Chain - Cross

those terms which reflect the dominant evaluation of society.

Now I say this self-picture which the individual acquires, and these stereotypes are fundamentally in force because Jews are as different among each other as all other people are, Negroes are as different from each other as all other people -- but these full stereotypes which they acquire of themselves are given additional force in the case of the Negro by the fact that the State is saying these are true, by implication.

Q Just one more question along that line. If we assume, just for the purpose of this question, that the 80 per cent of the population of Virginia are basically opposed to changing the present system, have you given any weight to the effect of that situation on the colored child, in expressing the opinions that you have expressed?

A Say that again.

Q I say, let us assume that the 80 per cent -- far more than the majority of the population -- are fundamentally and irrevocably opposed to any change in the system that we have, have you given any weight to that fact, if that be a fact, in the testimony you have given as to your expert opinion on the detrimental effect on the colored children under the present system?

Chain - Cross

A I think there would be several effects, some direct and some not.

Q What weight have you given to that general public attitude towards this question, in expressing the opinion that you have with regard to damage to the Negro child under the present system?

A I cannot weigh them one against the other, because their relationship is not that one is on one side of the scale and the other one is on the other side of the scale. The relationship is that one makes the other one particularly significant. I do not know if I make it clear.

Suppose all people here hated my guts -- if you will excuse the inelegant expression. Suppose they all hated me? I can take the position and support myself by saying, "Well, all of these people do not understand me. They are out of step; I am not out of step." It would be perhaps an irrational thing to do to say everybody else is wrong and I am right. But I would have that recourse available to me.

But suppose the United States Government says to me, or suppose the Government of New York State, in which I live, says to me, "Dr. Chain, you are just no good." Given, all of the people do not like me. Add to

Cassin - Cross

this the weight of a government in which I believe and to which I am deeply attached, and I can no longer say that all of these people are wrong, because the government is giving sanction, it is embodying in its practices, it is saying what these people are saying is true, and so the government is saying this to me and I cannot balance the government against people.

Q You agree that the Japanese and the Chinese have great pride of race?

A There are Japanese and Chinese who do.

Q Do you not agree that the average Japanese and Chinese has pride of race?

A I am not too familiar with the Chinese and the Japanese groups.

Q Do you know of any reason why the Negro in America should not be just as proud of his race as the Japanese or Chinese?

A I certainly do know a reason.

Q What?

A Because the State is saying to the Negro that he should have no pride in his race.

Q The Japanese is treated the same way.

A In this State? If that is so, then the State is saying it to the Japanese, and I think they have the

Chain - Cross

same problem.

Q One more question in another branch of the case. If I understand your testimony, in summary fashion, is that your position is that with respect to these three high schools in Prince Edward County, Virginia, that we are talking about, that if we assume that the State has built the fine new school that is now in the blueprint form, and it will be shown will be ready for occupancy in the fall of next year, and if you assume that is the finest high school in all of that section of the country and is as good as any high school in the State of Virginia --

A The physical plant?

Q Yes, the physical plant. If you further assume that all of the teachers have better qualifications, better salaries, than the average high school in Virginia, that all of the curriculum is better than any other high school in Virginia, and all other facilities are better, but only one difference exists, -- that in the one case the Negroes attend the new Koton School and the whites attend the Farmville School -- it is your testimony that the Negroes, in their new school, cannot obtain equal advantages and opportunities in this State; is that right?

A In the terms which I have discussed, they cannot.

Chain - Cross

MR. MOORE: That is all, sir.

MR. CARTER: Dr. Chain, just one question.

REDIRECT EXAMINATION

BY MR. CARTER:

Q Mr. Moore has gone into some detail about your study. I would like to ask you whether or not you received any evidence from your colleagues and other social scientists of the value they placed upon the studies you have made; how was it regarded in the fraternity?

A It is an embarrassing position to testify to one's prestige. In every indication that I have received, the study is held in high regard. It has been cited in many sources. It is not a study of which I am ashamed.

MR. CARTER: That is all.

MR. HILL: Will you call Rev. Leslie Griffin?